REMARKS

By this amendment, claims 1, 2, 4-10, 12-16, 18-20, 22-24, 26-32, and 34-41 are pending, in which claims 3, 11, 17, 21, 25 and 33 are canceled without prejudice or disclaimer, claims 1, 4-6, 9, 15, 19, 23, 26-28 and 31 are currently amended, and claims 36-41 are newly presented. Care was exercised to avoid the introduction of new matter.

The Office Action mailed August 2, 2005 rejected claims 1-35 under 35 U.S.C. § 102 as anticipated by *Blum et al.* (US 6,182,141).

The Office Action, on page 2, objected to the Specification as containing an embedded hyperlink. However, in the context of paragraph [26], the hyperlink is used to illustrate the format of a URL. To highlight this use, Applicants have amended paragraph [26] to include quotations around the hyperlink.

Additionally, Applicants have amended the Specification to correct discovered informalities.

In the interest of advancing prosecution, Applicants have amended independent claims 1, 9, 15, 19, 23 and 31. Independent claims 1 and 23 recite "selectively forwarding the message **by a transport layer switching mechanism** to a proxy agent configured to provide the proxy service." Amended claims 9 and 31 recite "**a transport layer switching logic** configured to receive a message from an application that supports browsing and to identify the message as invoking the proxy service." Claim 15 now recites "the network element includes a **transport layer switching mechanism** to selectively forward the message to the proxy agent." Independent claim 19 recites "means for **switching at a transport layer** to selectively forward the message to a proxy agent configured to provide the proxy service."

By contrast, *Blum et al.* discloses (col. 3: 7-18) a layered service provider (LSP) that intercepts a communications request from a client application. The term "layered service provider" refers to a software module which provides a service such as application programming interface (API) tunneling or name space services, for example. The service provider is layered such that communications requests directed to local PCs are passed through by the LSP to underlying services such that local requests can be processed using local services in a manner transparent to the client.

Accordingly, the LSP 335 (of FIG. 3) does not provide "a transport layer switching mechanism," as positively claimed.

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed in a prior art reference, based on the foregoing, it is clear that *Blum et al.* fails to disclose all the features of amended independent claims 1, 9, 15, 19, 23 and 31. Therefore, Applicants respectfully urge the indication that claims 1, 9, 15, 19, 23 and 31 be allowable.

Further, claims 2, 4-8, 10, 12-14, 16, 18, 20, 22, 24, 26-30, 32, 34 and 35, depending correspondingly from independent claims 1, 9, 15, 19, 23 and 31, are also allowable at least for the reasons put forth for the allowability of these independent claims. Additionally, the dependent claims are allowable on their own merits. For example, claim 8 recites "wherein the message is transmitted over a wide area network (WAN) that includes a **two-way satellite network**." The Office Action refers to col. 5: 45-55 for such a supposed teaching; this passage states the following:

> The server computer system 305 also includes a remote access service (RAS) dial-out stack 360 utilizing the TCP/IP point-to-point protocol (P-P-P) in this example. The RAS dial-out stack 360 provides the capability to establish remote connections to external networks 365 such as a wide area network (WAN), the Internet, or the World Wide Web (WWW) which is hosted on the Internet. The terms remote network and external network are used interchangeably herein to refer to any network with which the server 305 is capable of communicating other than the LAN 310.

Neither the above cited passage nor anywhere else within the disclosure of *Blum et al.* is there mention of use of any satellite network, much less a "two-way satellite network." Therefore, the rejection under 35 U.S.C. § 102 is improper.

With respect to newly added claims 36-41, these claims depend from amended independent claims 1, 9, 15, 19, 23 and 31, and thus are allowable. Dependent claims 36, 38 and 40 include the features of "wherein the transport layer switching mechanism is configured to operate according to Layer 4 of Open Systems Interconnection (OSI) model." Claims 37 and 41 recite "wherein the transport layer switching logic is configured to operate according to Layer 4 of Open Systems Interconnection (OSI) model." Claim 39 recites "wherein the transport layer switching means is configured to operate according to Layer 4 of Open Systems Interconnection (OSI) model."

Therefore, the present application, as amended, overcomes the objections and rejections of record and is in condition for allowance. Favorable consideration of this application is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (301) 601-7252 so that such issues may be resolved as expeditiously as possible. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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